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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,616	02/12/2001	Mark C. Pace	19538-05563	9755

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EXAMINER

JONES, SCOTT E

ART UNIT

PAPER NUMBER

3713

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/782,616

Applicant(s)

PACE ET AL.

Examiner

Scott E. Jones

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-23,25-69 and 71-111 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-23,25-69 and 71-111 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 2/12/01 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on August 23, 2002 in which applicant amends claims 1, 3, 4, 23, 25, 26, 45, 46, 50, 64, 66, 68, and 71, cancels claims 2, 24, and 70, adds new claims 72-111, and responds to the claim rejections.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: On page 8, patron database (PDB) is referred to as (114), however, figure 1 PBD is labeled (104). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show Ethernet (103) as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to because in Figure 3, the supervisor labeled (124) should be labeled (324) as the attendant is labeled. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

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Specification

5. The disclosure is objected to because of the following informalities: Applicant should provide the related application number on page 1, line 7. On page 17, line 4, "RBDS 102" should be "RBDS 104" as shown in Figure 1.

Correction is required.

Claim Objections

6. Claim 25 is objected to because of the following informalities: Claim 25 claims dependency upon itself. The examiner believes applicant meant to claim dependence to claim 23. Correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1, 3-23, and 25-44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

9. Regarding Claim 1, the limitation, "a plurality of message receivers, used by the primary service attendant" is unclear. As originally claimed, described in the specification, and shown in the figures, each service attendant has one message receiver (126), rather than a plurality of message receivers.

Claims 3-23 inherit the deficiency of claim 1 by dependency.

10. Regarding Claim 23, the limitation, "a plurality of message receiving means, used by the primary service attendant" is unclear. As originally claimed, described in the specification, and

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shown in the figures, each service attendant has one message receiver (126), rather than a plurality of message receivers.

Claims 25-44 inherit the deficiency of claim 23 by dependency.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 3-23, 25-69, and 71-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson, Jr. et al. (U.S. 5,774,877) in view of Boushy et al. (U.S. 6,003,013).

Patterson, Jr. et al. discloses a two-way wireless system and method for brokers to schedule and service financial industry transactions. Patterson, Jr. et al. additionally discloses:

Regarding Claims 1, 23, 45-46, 49, 68, and 71:

- a decision determining system coupled to communication devices that receive requests for service, a set of rules are used to schedule the service requests, and the decision determining system selects an attendant (Broker) to service the request (Abstract, Figures 14-18, and Column 6, line 31-Column 7, line 43);
- a communication system coupled to the decision determining system to transmit a message to the attendant (Broker) selected to service the request (Abstract, Figures 14-18, Column 6, line 31-Column 7, line 43, Column 8, line 15-Column 11, line 40);
- a plurality of message receivers used by the service attendants (Brokers) to receive the messages from the communication system (Column 15, lines 35-40).

Regarding Claims 4 and 26:

- the communication system is a two-way messaging system and the message receivers are two-way message transceivers (Abstract, Figures 14-18, and Column 6, line 31-Column 7, line 43).

Regarding Claims 5, 27 and 47:

- the primary service attendant (Broker) can accept or decline to service an event using the two-way message receiver, and wherein: in response to the primary service attendant (Broker) declining to service an event (not acknowledging request), the decision system selects a secondary service attendant (Broker) for servicing the event, and transmits a message to the secondary service attendant (Abstract, Figures 14-18, Column 6, line 31-Column 7, line 43, Column 8, line 15-Column 11, line 40).

Regarding Claims 6, 28 and 48:

- in response to the primary service attendant accepting to service a request, the decision determining system establishes the primary service attendant as being unavailable to service another event until the request is completed (Abstract, Figures 14-18, Column 6, line 31-Column 7, line 43, Column 8, line 15-Column 11, line 40).

Regarding Claims 7, 8, 17, 20, 29, 30, 39, 50, 52, 53, 62, 65, 69, 79, 82, 92, 106, and 109:

- the decision determining system monitors the time (456) taken to service an event (Figures 9 and 10).

Regarding Claims 9, 20, 31, 54, 65, 82, and 109:

- the rules of the decision determining system for scheduling events includes at least one rule for scheduling events according to a type of event. Quotes (716a) and Orders (716b) (type of event) are scheduled according to at least one rule (Figure 14).

Regarding Claims 19, 41, 51, 64, 81, 94, 98, and 108:

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- at least one rule for messaging a supervisor of the primary service attendant if the primary service attendant has not completed servicing the event in a certain amount of time (Column 6, line 38-Column 7, line 17). The manager can monitor the progress of one or more brokers at all times.

Regarding Claims 16, 18, 20, 38, 40, 61, 63, 65, 78, 80, 82, 91, 93, 105, 107, and 109:

- the rules of the decisioning system for scheduling events include at least one rule for scheduling events according to a location of the service location (Column 9, line 55-Column 10, line 5).

Patterson, Jr. et al. seems to lack explicitly disclosing:

Regarding Claims 1, 45, and 46:

- service locations are gaming machines, and communication devices for communicating game events to a gaming machine management system.

Regarding Claims 3 and 25:

- the gaming machines are slot machines and the interface boards communicate slot events to the gaming machine management system.

Regarding Claims 10, 17, 20, 32, 39, 42, 55, 62, 65, 72, 79, 82, 85, 92, 95, 99, 106, and 109:

- the rules of the decisioning system for scheduling events include at least one rule for scheduling events according to a value of the customer at the service location that generated the event.

Regarding Claims 11, 33, 56, 73, 86, and 100:

- the customer value is based on potential revenue generated by the customer.

Regarding Claims 12, 34, 57, 74, 87, and 101:

- the customer value is based on a theoretical win profile of the customer.

Regarding Claims 13, 35, 58, 75, 88, and 102:

- the customer value is based upon a room rate occupied by the customer.

Regarding Claims 14, 36, 59, 76, 89, and 103:

- the customer value is based upon a type of room occupied by the customer.

Regarding Claims 15, 37, 60, 77, 90, and 104:

- the customer value is based on a number of persons in a party associated with the customer.

Regarding Claims 21, 43, 46, 66, 83, 96, and 110:

- a customer database, communicatively coupled to the decisioning system and containing customer records indicating for each customer a measure of the customer's value and customer's identification number, the decisioning system receiving from a service location a customer identification number and querying the customer database with the received customer identification number to obtain the measure of the customer's value, the decisioning system scheduling the event for service according to the obtained customer value.

Regarding Claims 22, 44, 67, 84, 97, and 111:

- each service location includes a customer identification card reader, for reading a customer identification card reader, for reading customer identification number from a customer identification card.

Boushy et al. teaches of a customer worth differentiation system for customer tracking and recognition program that provides various enhanced physical instrumentalities and distinguished services to a customer based upon the customer's worth to the casino. Boushy et al. and Patterson, Jr. et al. are analogous art because both require systems to manage and communicate messages to

service attendants who service financial transactions or patrons at gaming machines at casinos.

Boushy et al. further teaches :

Regarding Claims 1, 45, and 46:

- service locations are gaming machines, and communication devices for communicating game events to a gaming machine management system (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 3 and 25:

- the gaming machines are slot machines and the interface boards communicate slot events to the gaming machine management system (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 10, 17, 20, 32, 39, 42, 55, 62, 65, 72, 79, 82, 85, 92, 95, 99, 106, and 109:

- the rules of the decisioning system for scheduling events include at least one rule for scheduling events according to a value of the customer at the service location that generated the event (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 11, 33, 56, 73, 86, and 100:

- the customer value is based on potential revenue generated by the customer (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60) .

Regarding Claims 12, 34, 57, 74, 87, and 101:

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- the customer value is based on a theoretical win profile of the customer (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 13, 35, 58, 75, 88, and 102:

- the customer value is based upon a room rate occupied by the customer (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 14, 36, 59, 76, 89, and 103:

- the customer value is based upon a type of room occupied by the customer.

*apparently players who
have are worried about
rooms and hotel
contaminous.*

Regarding Claims 15, 37, 60, 77, 90, and 104:

- the customer value is based on a number of persons in a party associated with the customer (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 21, 43, 46, 66, 83, 96, and 110:

- a customer database, communicatively coupled to the decisioning system and containing customer records indicating for each customer a measure of the customer's value and customer's identification number, the decisioning system receiving from a service location a customer identification number and querying the customer database with the received customer identification number to obtain the measure of the customer's value, the decisioning system scheduling the event for service according to the obtained customer value (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

Regarding Claims 22, 44, 67, 84, 97, and 111:

- each service location includes a customer identification card reader, for reading a customer identification card reader, for reading customer identification number from a customer identification card (Abstract, Figures 3, 4, 10, 13, Column 1, line 16-Column 3, line 53, Column 9, line 47-Column 10, line 18, and Column 14, line 50-60).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the broker management and communication system of Patterson, Jr. et al. in Boushy et al. One would be motivated to do so because by differentiating the value of a customer in a casino one would need a process by which the casino could provide distinguished services to the valued customer, such as improved food and beverage services, and slot change or slot fill services.

Response to Arguments

13. Applicant's arguments with respect to claims 1, 4-9, 23, 26-31, 45-50, 52-54, 68-69, and 71 have been considered but are moot in view of the new ground(s) of rejection.

14. The rejection to claims 1-44, 50, 64, and 66-71 under 35 U.S.C. 112, second paragraph is withdrawn upon reviewing applicant's response.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (703) 308-7133. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on (703) 308-4119. The fax phone numbers for the

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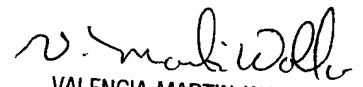
organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

SEJ

sej

November 29, 2002


VALENCIA MARTIN-WALLACE
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